From: To:

Peter Seebach Microsoft ATR

Date:

11/16/01 8:24pm

Subject:

Anti-trust settlement

Any settlement should reflect the repeated and flagrant abuses Microsoft has engaged in, even during the ongoing trial. At a bare minimum, those harmed by Microsoft's practices should be compensated in some way. The original court findings remain; Microsoft broke the law. Any settlement that lacks a substantial and meaningful penalty is itself a flagrant disregard for judicial process.

In the long run, it's probably not necessary to split Microsoft - and indeed, you can't fix a monopoly on software by splitting it up. What the government can, and should, do is make sure that Microsoft's competitors are competing on a level playing field. This means \*NO\* barriers imposed by Microsoft to getting competing products shipped with computers. No special "Windows" key trademark licensing. No agreements that systems \*must\* boot Windows. No special high prices for vendors that don't support Microsoft enough. Everyone has to get the same price, no matter what, from Microsoft - any other solution lets them impose multi-million dollar "fines" on vendors as punishment for non-cooperation. Furthermore, their file formats and standards need to be opened up.

Past that, perhaps the best thing to do is simply to try the principals of the case for perjury; they clearly lied to the government, and no one should be able to get away with that.

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